

**Insight**  
**Lawsuits**  
**concern**  
**doctors**

*One plaintiff won millions for malpractice*

By Nancy Stetson  
Missourian staff writer

When David broke his leg, his family never dreamed he would have the bone set seven times, need an operation to put in a metal plate and another to take it out, have two skin grafts, spend eight weeks in the hospital and five months on crutches. Other people break their legs skiing, have them plastered and are hobbling around in a few days.

In the last 10 years people in situations like David's have begun to realize they have remedies if they think they have not received proper medical care. The most drastic remedy is the malpractice suit, and there has been a dramatic nationwide increase in the number of such suits. Recent statistics are not available, but a federal commission reported 12,000 malpractice suits were settled or tried in 1970. And, the commission reported a 10.6 per cent increase in suits filed that year.

The greatest increase is found in California, Florida, New York City and Chicago, but malpractice suits also are on the rise in Columbia. Medical Director Dr. Kenneth Keown said, "Within the past three years there has been an increase in the number of claims and litigations against the University of Missouri Medical Center." He would not say how many.

Accompanying the increasing number of suits has been rising payments to patients for damages. In an extraordinary case in California early this year a patient was awarded several million dollars.

In a Kansas City case a patient sued an anesthesiologist for \$300,000, but settled for \$50,000. A doctor at the University Medical Center currently is facing a suit for \$50,000. The patient has charged that a tube was left in him after surgery, that he was laughed at when he warned he would react to anesthesia and that he did not receive a proper examination and needed x-rays.

President Nixon voiced concern for the malpractice problem in a health message in January 1971. Following his directive, the Department of Health, Education and Welfare established a commission on medical malpractice. The commission was composed of people from medicine, law, insurance and the public. They spent a year holding hearings and collecting data before issuing a bulky report in January 1973.

The commission report suggests that the typical patient suing for malpractice is almost identical to the prototype of all patients. The report says 58 per cent of all malpractice claimants are female, 53 per cent are over 40 and 60 per cent report having no income.

Dr. Keown said the patient most likely to sue is the one who says "save no costs." And the belief that all doctors are wealthy, he said, is what makes them prone to suits.

The commission report says that some doctors are more likely to be sued because their work involves more risk. Anesthesiologists, neurosurgeons, obstetricians, gynecologists, orthopedists, and plastic surgeons are more likely to have a malpractice suit brought against them than is a dermatologist or general practitioner.

More complicated procedures and accompanying risks partly explain the increase in malpractice suits, Ray Hodges, lawyer and associate professor of pathology, said. But, another cause is the belief many persons have that modern medicine can perform miracles on a daily basis, he said. People do not accept that patients may fall to improve, get worse and die, he said.

Media coverage of medical breakthroughs has led the public to develop some of its unrealistic expectations about medicine's (See DOCTORS, page 16)

# Columbia Missourian

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## SLA leaders killed



Children are rescued Friday night from a house in southern Los Angeles near the scene of a fierce gun battle between police and members of the Symbionese Liberation Army. Five persons were found dead inside the house. (UPI telephoto)

By our wire services

LOS ANGELES — Police fought a vicious gun battle with suspected Symbionese Liberation Army members Friday and an FBI agent reported that Donald DeFreeze, the "General Cinque" of the Patricia Hearst kidnapers, was killed.

In a chaotic situation in which three SLA members earlier slipped the grasp of the FBI, four other members of the terrorist group were reported to have been slain.

Patricia, 20, was kidnaped by the SLA Feb. 4 from her Berkeley apartment. It was unclear if she was among those at the hideout at the time of the shooting.

The FBI was maintaining total silence but an agent at the scene of the two-hour gun battle in south central Los Angeles reported that DeFreeze and Camilla Hall, another SLA leader, were dead.

The FBI agent also reported to his office that Nancy Ling Perry, one of the firebrands of the terrorist cult, also was "probably dead."

Five bodies were recovered from the smoldering embers of a two-story house which had been the scene of a massive exchange of automatic gunfire and gas grenades in a black area of Los Angeles. The raging battle set at least three other houses ablaze.

The gruesome drama played open ended on live television throughout the dinner hour in Los Angeles.

A live portable cameras of KNX TV, a local CBS television station, brought the shout-out with the suspects into millions of Los Angeles homes. KNX shared its live camera with the NBC and ABC stations, and the evenings news was totally devoted to the police siege.

The chaos and vividness of a major police operation, viewed incongruously from stuffed living room chairs, was bizarre. Viewers were able to vicariously experience on the scene action as they heard the reporters describe how it feels to inhale tear gas and dodge bullets.

At one point, the television picture scrambled as viewers heard the reporters relate how they had just recoiled when a bullet ricocheted past their ears.

The police lobbed tear gas into the structure but those inside fought back ferociously.

Police Commander Pete Hagan said that among those dead were one white woman and one black woman.

"They had ammunition canisters around their bodies and they were exploding," he said.

Police and FBI agents earlier had surrounded a tiny white frame house in an area on the edge of Watts. But when they rushed it, they found it empty.

The earlier raid had been touched off by a bizarre shooting incident at a sporting goods store Thursday afternoon in which three SLA members

apparently commandeered three cars and abducted an 18-year-old boy.

About eight hours after that first raid, the FBI and police closed in on a yellow stucco structure and a frightening gun battle ensued.

Cinque was the "field marshal general" whose voice and communications marked the aftermath of the kidnapping of the 20-year-old granddaughter of the founder of the Hearst newspaper empire.

At the Hearst mansion in Hillsborough, Calif., Hearst family spokesman John Lester said "the feeling inside the Hearst home is it's over. Nothing has been confirmed either way, although the Hearsts have a direct line to the San Francisco FBI and have been in touch all day. The family really didn't expect it to end this way. We just hope to God that Patty is somewhere else."

Camilla Hall was another of the mysterious figures of the SLA, and was identified as one of those who participated in the holdup of a San Francisco bank on April 15.

Authorities said 200 to 300 police and FBI agents engaged in the gun battle Friday night.

"We were amazed by the magnitude of their counterattack," Hagan said. "I've never seen anything like this. I've never seen this much ammunition concentrating in a single area in Los Angeles."

"It was a small scale war out there."

## Labor talks still stalled

No agreements were reached in meetings between local unions and the Missouri Builders Association Friday.

Larry Smith, business representative for Painters Local 1185, said despite his offer to lower the painters' wage demand, the contractors "would not budge" from their wage offer. Smith declined to elaborate on the reduced wage demand.

A Dave Herring of the Federal Office of Mediation and Conciliation in Kansas City, said no progress was made in the meeting between the contractors and Bricklayers Local 17.

Herring said there was "no discernible progress" at the painters' meeting. Asked if the meeting served any purpose in the strike settlement, Smith said the three hour meeting brought the two sides "one step closer to settlement."

Herring did not know when another meeting might be held in the labor dispute. Smith said he thought the two sides could come together again in one to two weeks.

## Mitchell's resignation related to Watergate

By David E. Rosenbaum  
N. Y. Times Service

WASHINGTON — The transcript of President Nixon's June 30, 1973, conversation with John H. Mitchell and H. R. Halderman shows that the three men related Mitchell's resignation as the President's campaign director to the Watergate burglary.

Last year, Mitchell swore to the Senate Watergate Committee that he had resigned because of family responsibilities and not because of the Watergate case.

Some members of the House Judiciary Committee said today that

Nixon could be considered culpable for not reporting Mitchell's alleged false statement under oath to authorities, but the members agreed that it was highly likely the matter would become the basis for an article of impeachment.

A portion of the tape of the June 30 meeting was heard in closed session Wednesday during the Judiciary Committee's impeachment hearing, and the transcript of that portion has been published in several newspapers in the last two days. The transcript was not one of those made public by the White House.

Mitchell's lawyer said today that his client would stand by his testimony to the Senate committee.

In his Watergate committee testimony last July, Mitchell was asked by Sen. Herman E. Talmadge, D-Ga., why he had resigned as campaign director.

Mitchell replied, "I had some long-range telephone and publicized threats (from his wife, Martha) that if I didn't get out of politics, I was going to lose my marriage."

Talmadge then asked, "It had nothing whatever to do with the Watergate matter?"

Mitchell answered, "None whatsoever."

According to the Judiciary Committee's transcript, the portion of the tape that the committee heard begins with Halderman, former White House chief of staff, saying, "Well, there maybe is another facet. The longer you wait the more risk each hour brings. You run the risk of more stuff valid or invalid surfacing on the Watergate

## Landlords claim deceit used in housing reports

By Al Andry  
Missourian staff writer

A group of landlords claim "deception" in the Columbia Missourian's reporting of substandard housing conditions.

In a paid advertisement entitled, "Fraud Alert No. 2," the group charges, "Congratulations Columbians on your insight into the yellow journalism featured massively in the Missourian this last week. It was a classic in the art of highly structured deception, misrepresentation and misquoting."

The Missourian will publish the advertisement in Sunday's edition.

Calling themselves the Concerned Citizens for the Preservation of Low Cost Housing, the property owners have organized to fight stronger housing ordinances recommended by the Board of Housing Standards and Appeals.

Clifford Hanks, 1213 Jake Lane, submitted the advertisement to the Missourian for the group. Hanks owns rooming houses but refused Friday to tell the newspaper how many houses he owns and where they are located.

Daryl Moen, the Missourian's managing editor, said of the group's charges, "It is obvious this group isn't prepared to face the issue which simply is that the conditions of many rooming houses in this city have deteriorated so badly that in many cases those conditions are a health hazard. Since they can't argue the issue, some of the landlords are throwing up a smoke screen."

"We sold them the advertisement not because we condone what they are saying, but because they have a right to be irresponsible."

"We offered to print the group's statement free of charge as a letter, and they declined," Moen said.

In their advertisement, the owners charge that photographs taken by

Missourian photographers of substandard conditions in rooming houses were "staged."

Replying, Moen said such a charge is "ludicrous."

"The photographs speak for themselves. Anyone who doesn't believe what they show can go to the rooming houses and see for themselves."

Over the past two months, the Missourian has published numerous stories and photographs exposing substandard living conditions in many of the city's rooming houses. Those conditions have included exposed electrical wiring, cracked walls and foundations, littered trash, broken stairs and faulty plumbing.

In one photograph, the paper showed exposed electrical circuits in a narrow hallway at 705 Lee St., a rooming house owned by Robert A. Brown, an insurance agent. An electrician, who agreed to inspect the circuits for the Missourian if he were not to be named in a news story, said the condition of the circuits violated the city's electrical code and called the circuits extremely unsafe.

If a tenant of the rooming house accidentally tripped and touched both poles of the same circuit, the electrician said, he would be electrocuted.

Also, the newspaper has reported a lack of enforcement of the housing codes by the city's sole inspector, Paul DeHaven, and the Public Works Department directed by Ray Beck.

Since DeHaven also owns rooming houses found to violate the housing laws, the newspaper reported that as an apparent conflict of interest.

Most members of the City Council, City manager Terry Novak, real estate businessmen and apartment house owners and managers have agreed that enforcement of the housing codes and that conditions in at least some of the city's rooming houses are very poor.

CLAREMORE, Okla. (UPI) — "Do you know what I had for dinner tonight?" a youngster with bright eyes asked Police Chief Buck Johnson.

"Kentucky fried chicken," the boy said with a satisfied smile. "They throw away good chicken in that garbage can down there."

Buck Johnson almost cried. "It's one thing to get calls on dogs in trash cans, but when it's kids, well, that's pretty bad," the police chief said Friday.

Johnson removed eight children, ages 4 to 13, from a tiny insect-infested house where they had lived alone in filth. The only thing that worked was a live electric wire hang-

ing from the room where the children slept on a pile of old rags and clothing.

Police discovered the children when a citizen reported they had been using the backyard of a rundown house near his store for a bathroom.

"We found them alone," Johnson said of the three girls and five boys, including 9-year-old twins. "When we asked where their mother was, one of the little girls said she was out with her boyfriend."

The mother, identified as Mary Mace from Noel, Mo., has not been seen since the children were placed in the custody of the state Tuesday.

"The conditions we found in there were the worst I've ever seen, and

I've been in this business since 1955," Johnson said. "There was no window in the room where the children slept. One of those kids could have just walked out that second story window some night."

"Their food, what of it there was, was spoiled. They didn't have a can opener and had hacked open some cans of food with a knife."

"All the clothing we found around the house was unusable. They were sleeping on a stack of old clothes and rags."

The house was boarded up by the Claremore Fire Department and condemned.

Johnson said he was surprised at the relative good health of the

youngsters and their cheerfulness. He said all of the children seemed to be extremely bright, especially the oldest, a 13-year-old girl.

"She's a very intelligent girl. A local teacher says they're all bright. The way they express themselves, it's obvious they would all do well in school, even the little ones," Johnson said.

Johnson said the children's father apparently was a patient at the Missouri State Mental Hospital at Nevada, Mo.

The children were placed in foster homes awaiting a June 6 juvenile court hearing on dependence and neglect. Johnson said authorities were planning to bring some kind of charges against the mother, but "I doubt if we'll ever see her again."

## A garbage can dinner: chicken delight